

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA)
)
) Criminal Case No. 1:24-CR-003-01/13-SM-AJ-06
V.)
)
)
Angela Demarco)

DEFENDANT’S FULLY ASSENTED MOTION TO
CONTINUE THE SENTENCING HEARING

Pursuant L.R.12.1(d), counsel for the defendant moves that this Honorable Court continues the Sentencing Hearing currently scheduled for April 9, 2025, at 11 a.m. for a period of approximately 60 days until June 9, 2025, at a time convenient for the Court.

As grounds therefore, counsel states the following:

- 1) On November 6, 2024, the defendant pled guilty pursuant to a plea agreement.
- 2) During the plea hearing counsel for the government and the defendant alerted the Court that this case was likely to be disposed of through the LASER docket.
- 3) On November 6, 2024, counsel and the defendant met with LASER docket probation officer Daniel Whitmoyer for a presentence investigation report interview.
- 4) The defendant is on pretrial conditions of release involving drug treatment and reporting to probation to officer Riaka McCormick.
- 5) On March 31, 2025, counsel communicated with probation officer Whitmoyer. Mr. Whitmoyer suggested that Ms. Demarco would benefit from additional drug treatment and counseling prior to her sentencing hearing.
- 6) Ms. Demarco has agreed to undergo this treatment, a partial hospitalization program (PHP) with an intensive outpatient (IOP) program to follow. Ms Demarco has been in contact with supervising probation officer McCormik who approves of this treatment plan.
- 7) Continuance of this matter will allow Ms. Demarco to continue her treatment and will allow the defense to make the most persuasive argument possible at the time of sentencing.
- 8) The parties, including probation, the defendant, and the government, are all hopeful that after completion of this additional treatment, Ms. Demarco will be accepted into the

LASER docket program.

9) On March 31, 2025, counsel obtained the assent of the government through Assistant United States Attorney Heather Cherniske by email and the assent of probation by email with Probation Officer Daniel Whitmoyer. On April 1, 2025, counsel obtained the assent of the defendant Angela Demarco by email.

10) The defendant is working diligently to continue her treatment prior to the sentencing hearing.

Respectfully submitted,

/s/ John V. Apruzzese # 268149

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L.R. 7.1(a) MEMORANDUM STATEMENT

A memorandum is not necessary for the proper disposition of this motion.

L.R. 7.1(c) STATEMENT OF CONCURRENCE

On, March 31, 2025, counsel obtained the assent of the government through Assistant United States Attorney Heather Cherniske by email and the assent of probation by email with Probation Officer Daniel Whitmoyer. On April 1, 2025, counsel obtained the assent of the defendant Angela Demarco by email.

CERTIFICATE OF COUNSEL

Counsel certifies that: (A) counsel has consulted with the defendant about the requested continuance, (B) defense counsel has explained to the defendant that, by seeking a continuance, the defendant is waiving his constitutional and statutory rights to a speedy trial, (C) the defendant has personally assented to the continuance, and (D) defense counsel is forthwith mailing to the defendant a copy of the motion to continue.

Certificate of Service

I hereby certify that I served a copy of Counsel's Motion to Extend Time for the Sentencing Hearing pursuant to the CM/ECF system which was sent electronically to the registered participants on this day, April 2, 2025.

/s/ John V. Apruzzese # 268149
